

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL GARRISON,

Plaintiff,

v.

Case No. 15-12880

EQUIFAX INFORMATION
SOLUTIONS, ET AL.,

HON. TERRENCE G. BERG
HON. DAVID R. GRAND

Defendants.

**ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION (DKT. 33) AND DENYING DEFENDANT
EQUIFAX'S MOTION TO DISMISS WITHOUT PREJUDICE (DKT. 15)**

This matter is before the Court on Magistrate Judge David R. Grand's July 25, 2016 report and recommendation (Dkt. 33), recommending that Defendant Equifax Information Services, LLC's motion to dismiss (Dkt. 15) be denied without prejudice.

The Court has reviewed the Magistrate Judge's report and recommendation, and finds it to be well-reasoned. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendation. 28 U.S.C. § 636(b)(1). This time-period has elapsed, and no party filed any objections to Magistrate Judge Grand's report and recommendation.

The district court will make a "*de novo* determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to

the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will, therefore, accept the Magistrate Judge's Report and Recommendation of July 25, 2016, as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Grand's report and recommendation of July 25, 2016 (Dkt. 33) is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Defendant Equifax's motion to dismiss (Dkt. 15) is **DENIED WITHOUT PREJUDICE**.¹

SO ORDERED.

Dated: August 16, 2016

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically submitted on August 16, 2016, using the CM/ECF system, which will send notification to all parties.

s/A. Chubb
Case Manager

¹ The Court notes that Defendant Equifax's motion to dismiss was premised on Plaintiff's alleged faulty service of process (Dkt. 15). Magistrate Judge Grand's report and recommendation permitted Plaintiff to have an additional 30-days to properly serve Defendant Equifax (Dkt. 33). After the report and recommendation was filed, Plaintiff requested service of the summons and complaint on all Defendants by the United States Marshals Service (Dkt. 35), and Magistrate Judge Grand granted his request (Dkt. 37). The Court then issued new summons for all Defendants (Dkt. 38), to be served by the U.S. Marshals. Accordingly, the arguments advanced in Defendant Equifax's motion to dismiss concerning faulty service of process now appear moot.